

### REMARKS

Claims 1-11, 37-61, 63-69 and 71 are pending in the Application. Claims 1, 5, 38, 51, 56, 61, 64, 67, 68 and 71 have been amended, and claims 62 and 70 have been cancelled without prejudice herein. Claims 41-5, 57, 59 and 60 have been withdrawn. Claims 1-3, 6-11, 37-39, 51-56, 58, 61-64 and 66-71 are rejected. Claims 4, 5, 40 and 65 are objected to. Applicant submits that no new matter has been added by these amendments. Applicant respectfully requests reconsideration of the Application in view of the remarks and amendments herein.

#### *Claim Rejections – 35 U.S.C. § 102*

Claims 1-3 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ohmer et al. (U.S. Patent No. 6,209,648).

Claims 1-3, 6, 7, 9, 11, 37, 38, 51 and 53-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gano et al. (U.S. Patent No. 6,119,771).

Claims 1-3, 7, 9-11, 37-38 and 51-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by LaGrange (U.S. Patent No. 6,089,320).

Claims 1-3, 7, 9-11, 37-38 and 51-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Baugh et al. (U.S. Patent No. 5,944,108).

While not conceding that these rejections are proper, Applicant respectfully submit that these rejections have been overcome by the present amendment. None of the cited references discloses the combination of a tie-back assembly with a latching mechanism that is operable to couple the tie-back assembly to the main casing and align the tie-back window with the longitudinal bore of the whipstock or casing, as recited in each of Applicant's amended independent claims.

#### *Claim Rejections – 35 U.S.C. § 103*

Claims 8, 39 and 58 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gano et al., LaGrange or Baugh et al. Applicant respectfully submits that these claims are patentable for at least the reason that they depend from a patentable base claim.

Claims 61-63 and 66-71 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gano et al., LaGrange or Baugh et al. in view of Zupanick (U.S. Patent No. 6,280,000).

Applicant respectfully submits that these claims are patentable for the reasons discussed above. Zupanick, cited to supply a teaching of drilling multiple lateral wells, does not disclose or suggest the claimed latching mechanism.

Claim 64 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gano et al., LaGrange or Baugh et al. in view of Zupanick as applied to claim 62, and further in view of the pre-grant publication to Brunet (U.S. Publication No. 2002/0000319). Applicant respectfully submits that claim 64 is patentable for at least the reason that it depends from a patentable base claim.

Applicant notes that the dependent claims add one or more further limitations not presently relied upon to establish patentability. For that reason, and not because Applicant agrees with the examiner, no rebuttal is offered to the Examiner's reasons for rejecting the dependent claims.

#### *Allowable Subject Matter*

Applicant notes and appreciates the Examiner's indication that Claims 4, 5, 40 and 65 are allowable if Claims 1, 9 and 64 were rewritten to overcome the objections.

#### CONCLUSION

In view of the above, and for other reasons clearly apparent, Applicant respectfully submits that the Application is in condition for allowance, and requests such a Notice. If the present Application is not allowed and/or if one or more of the rejections is maintained or made final, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule a telephone conference.

No fees are believed to be due. However, please apply any deficiencies or any other required fees or any credits to deposit account 06-1050, referencing Attorney Docket Number 17601-053001

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Respectfully submitted,

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